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FARMER-TO-CONSUMER DIRECT MARKETING ACT OF 1976  
[As Amended Through Public Law 106–170, Dec. 17, 1999]

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December 17, 1999

## **FARMER-TO-CONSUMER DIRECT MARKETING ACT OF 1976**

Public Law 94-463, October 8, 1976

AN ACT To encourage the direct marketing of agricultural commodities from farmers to consumers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That [7 U.S.C. 3001 note] this Act may be cited as the "Farmer-to-Consumer Direct Marketing Act of 1976".*

### **PURPOSE**

SEC. 2. [7 U.S.C. 3001] It is the purpose of this Act to promote, through appropriate means and on an economically sustainable basis, the development and expansion of direct marketing of agricultural commodities from farmers to consumers. To accomplish this objective, the Secretary of Agriculture (hereinafter referred to as the "Secretary") shall initiate and coordinate a program designed to facilitate direct marketing from farmers to consumers for the mutual benefit of consumers and farmers.

### **DEFINITION**

SEC. 3. [7 U.S.C. 3002] For purposes of this Act, the term "direct marketing from farmers to consumers" shall mean the marketing of agricultural commodities at any marketplace (including, but not limited to, roadside stands, city markets, and vehicles used for house-to-house marketing of agricultural commodities) established and maintained for the purpose of enabling farmers to sell (either individually or through a farmers' organization directly representing the farmers who produced the commodities being sold) their agricultural commodities directly to individual consumers, or organizations representing consumers, in a manner calculated to lower the cost and increase the quality of food to such consumers while providing increased financial returns to the farmers.

### **SURVEY**

SEC. 4. [7 U.S.C. 3003] The Secretary shall provide, through the Economic Research Service of the United States Department of Agriculture, or whatever agency or agencies the Secretary considers appropriate, a continuing survey of existing methods of direct marketing from farmers to consumers in each State. The initial survey, which shall be completed no later than one year following the date of enactment of this Act, shall include the number of types of such marketing methods in existence, the volume of business conducted through each such marketing method, and the impact of such marketing methods upon financial returns to farm-

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ers (including their impact upon improving the economic viability of small farmers) and food quality and costs to consumers.

**DIRECT MARKETING ASSISTANCE WITHIN THE STATES**

**SEC. 5. [7 U.S.C. 3004]** (a) In order to promote the establishment and operation of direct marketing from farmers to consumers, the Secretary shall provide that funds appropriated to carry out this section be utilized by State departments of agriculture and the Extension Service of the United States Department of Agriculture for the purpose of conducting or facilitating activities which will initiate, encourage, develop, or coordinate methods of direct marketing from farmers to consumers within or among the States. Such funds shall be allocated to a State on the basis of the feasibility of direct marketing from farmers to consumers within that State as compared to other States and shall be allocated within a State to the State department of agriculture and to the Extension Service on the basis of the types of activities which are needed in the State and on the basis of which of these two agencies, or combination thereof, can best perform these activities. The activities shall include, but shall not be limited to—

(1) sponsoring conferences which are designed to facilitate the sharing of information (among farm producers, consumers, and other interested persons or groups) concerning the establishment and operation of direct marketing from farmers to consumers;

(2) compiling laws and regulations relevant to the conduct of the various methods of such direct marketing within the State, formulating drafts of enabling legislation needed to facilitate such direct marketing, determining feasible locations for additional facilities for such direct marketing, and preparing and disseminating practical information on the establishment and operation of such direct marketing; and

(3) providing technical assistance for the purpose of aiding interested individuals or groups in the establishment of arrangements for direct marketing from farmers to consumers.

(b) In the implementation of this section, the Secretary shall take into account consumer preferences and needs which may bear upon the establishment and operation of arrangements for direct marketing from farmers to consumers.

[Sec. 6 repealed by Public Law 105-362, § 101(d)(1)].

**AUTHORIZATION OF APPROPRIATIONS**

**SEC. 7. [7 U.S.C. 30061]** (a) For purposes of carrying out section 4, there are authorized to be appropriated such sums as are necessary.

(b) For purposes of carrying out the provisions of section 5, there is authorized to be appropriated \$1,500,000 for each of the fiscal years ending September 30, 1977, and September 30, 1978.

**EMERGENCY HAY PROGRAM**

**SEC. 8. [42 U.S.C. 5145 note]** In carrying out any emergency hay program for farmers or ranchers in any area of the United States under section 305 of the Disaster Relief Act of 1974 because

of an emergency or major disaster in such area, the President shall direct the Secretary of Agriculture to pay 80 percent of the cost of transporting hay (not to exceed \$50 per ton) from areas in which hay is in plentiful supply to the area in which such farmers or ranchers are located. The provisions of this section shall expire on October 1, 1977, and shall become effective on October 1, 1976, or on the date of enactment of this Act, whichever is later.